

GEORGIA DEPARTMENT OF HUMAN RESOURCES
Human Resource/Personnel Policy #1903

UNEMPLOYMENT COMPENSATION

EFFECTIVE DATE: May 1, 2002

RELEASE DATE: May 1, 2002

REFERENCES: State Law (O.C.G.A. §34-8-1 *et seq.* and §45-9-110)

(Section A)

**GENERAL
INFORMATION**

1. All DHR classified and unclassified employees who separate from employment may file for unemployment compensation benefits. A determination of eligibility will be made by the Georgia Department of Labor (DOL).
2. The Department of Administrative Services (DOAS) oversees the unemployment compensation process for State agencies.
3. DOAS has contracted with Sheakley Uniservice, Inc. (formerly R. E. Harrington) to provide assistance to DHR with unemployment compensation claims. All correspondence from DOL regarding unemployment compensation claims is sent directly to Sheakley Uni-service.
4. DHR officials (which include supervisors or other authorized designees) who represent the Department on unemployment compensation issues are encouraged to contact Sheakley Uniservice prior to any interview or appeal hearing to ensure that the Department is prepared.
5. DHR officials are to provide all factually accurate job-related information regarding separations to representatives of DOL and Sheakley Uniservice regardless of whether employees were classified or unclassified. Unusual circumstances should be discussed with the Office of Human Resource Management and Development (OHRMD) – Operations & Benefits Section prior to releasing information.

(Section B)

**SEPARATION
NOTICE**

1. Immediately following the separation of an employee, **REGARD-
LESS OF THE REASON**, a *SEPARATION NOTICE* (Form DOL-800) is to be completed. Instructions for completion are included on the reverse side of the *SEPARATION NOTICE*. *SEPARATION NOTICES* can be obtained from the transactions center serving the DHR organizational unit, from a local DOL Office, or from the DHR Forms Distribution Unit.

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2. If an employee is separated for any reason other than “lack of work,” please refer to Attachment #1 - *GUIDELINES REGARDING UNEMPLOYMENT COMPENSATION* for comments to be added to the Reason for Separation section on the *SEPARATION NOTICE*.
 - 2.1 When an employee resigns, or otherwise voluntarily leaves employment (e.g., does not return from a leave of absence, stops coming to work), a reason should be provided if known. If the reason for leaving employment is not known, then the statement “No Reason Given” should be included.
 - 2.2 If there is a question regarding what should be entered in the Reason For Separation section of the *SEPARATION NOTICE*, the transactions center serving the DHR organizational unit should be contacted for guidance.
3. The Employer's Name to be listed on the *SEPARATION NOTICE* is the “Georgia Department of Human Resources” and the specific DHR organizational unit. The Address and Employer's Telephone Number to be listed are: *c/o Sheakley Uniservice, Inc., 1995 North Park Place, SE, Suite 270, Atlanta, GA 30339 (PHONE) 1-800-241-5341 (FAX) 770/850-9306.*
4. The completed *SEPARATION NOTICE* is to be distributed as follows:
 - 4.1 The original is to be given to the employee at the time of separation, when possible. If not possible, the notice must be mailed to the last known address of the separated employee as soon as possible, but no later than five calendar days after the date the separation occurred or became known; and,
 - 4.2 A copy is to be forwarded to the separated employee's official DHR personnel file.
5. In the event of a mass separation (25 or more employees), the *MASS SEPARATION NOTICE* and *CONTINUATION SHEET* (Forms DOL-402 and 402A) should be completed and mailed to the nearest DOL Unemployment Insurance Claims Office. Copies must also be immediately faxed to Sheakley Uniservice at 770/850-9306 (or mailed), and placed in each affected employee's official DHR personnel file. Please include on the *MASS SEPARATION NOTICE* a telephone number of the DHR official who has knowledge of the separation.

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(Section C)

NOTIFICATION TO SHEAKLEY UNISERVICE

1. Separations must be **immediately** reported to Sheakley Uniservice via the TELEPHONE SEPARATION ENTRY SYSTEM by calling **1-800-662-3049**. The following information must be reported through this system:
 - 1.1 Access code (**10007284**);
 - 1.2 State code (**11**);
 - 1.3 Former employee's social security number;
 - 1.4 Last day worked by the former employee;
 - 1.5 Separation code (See Attachment #2 for a list of separation codes);
 - 1.6 Any additional applicable information (See Attachment #2 for complete instructions); and,
 - 1.7 The phone number of the DHR official with knowledge of the separation.
2. To simplify the reporting process when ten (10) or more employees separate, it is not necessary to report individual separations through the TELEPHONE SEPARATION ENTRY SYSTEM. The *MASS SEPARATION NOTICE* and *CONTINUATION SHEET* may be completed and sent to Sheakley Uniservice via fax 770/850-9306 in this instance.
 - 2.1 The *MASS SEPARATION NOTICE* and *CONTINUATION SHEET* should not be sent to the Department of Labor if there are fewer than twenty-five (25 separations).
 - 2.2 Individual separation notices are to be provided to each of the employees and a copy of each separation notice is to be placed in the employee's official personnel file.

(Section D)

NOTICE OF CLAIM FILED

1. When a former employee files a claim for unemployment compensation benefits, a *NOTICE OF CLAIM FILED AND REQUEST FOR SEPARATION INFORMATION* may be issued by DOL. This notice is sent to Sheakley Uniservice. If this notice is misrouted to DHR, it is to be *immediately* faxed to Sheakley Uniservice at 770/850-9306.

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2. Sheakley Uniservice will complete the *NOTICE OF CLAIM FILED AND REQUEST FOR SEPARATION INFORMATION*.
 - 2.1 A representative from Sheakley Uniservice may contact the DHR official at the phone number provided through the TELEPHONE SEPARATION ENTRY SYSTEM (or on *MASS SEPARATION NOTICE* form if applicable) for additional information. All requested factually accurate job-related information is to be immediately provided to Sheakley Uniservice.
 - 2.2 Sheakley Uniservice is responsible for ensuring that the completed notice is returned to the DOL Unemployment Insurance Claims Office on or before the response due date indicated on the notice.

(Section E)

FACT FINDING INTERVIEW

1. A fact finding interview with the former employee may be scheduled by the DOL Unemployment Insurance Claims Office.
2. The time and date will be indicated on the *NOTICE OF CLAIM FILED AND REQUEST FOR SEPARATION INFORMATION*. This date is generally within seven to ten days from the date the former employee files a claim for unemployment compensation benefits.
3. If additional information or clarification is needed during the fact finding interview, a representative from DOL or Sheakley Uniservice may contact the DHR official by telephone.
4. The DHR official is to disclose to DOL and/or Sheakley Uniservice all factually accurate job-related information regarding the separation of classified and unclassified employees.
5. An initial claim determination will be issued by the DOL Unemployment Insurance Claims Office on a *CLAIMS EXAMINER'S DETERMINATION* Form. This form is sent directly to Sheakley Uniservice.
6. If the initial claim determination grants unemployment compensation benefits to the former employee, Sheakley Uniservice will advise the DHR official or the Office of Human Resource Management and Development (OHRMD).
7. If a former employee is granted unemployment compensation benefits after being separated based on *inability to perform assigned duties* or *lack of work*, no further action will be taken by the Department.

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(Section F)

APPEALS

1. If unemployment compensation benefits are granted to an employee separated for any reason other than *inability to perform assigned duties* or *lack of work*, the Department may appeal the claim determination.
 - 1.1 If it is determined that an appeal is appropriate, Sheakley Uniservice is responsible for filing the appeal.
 - 1.2 Any appeal must be filed by the specified deadline on the *CLAIMS EXAMINER'S DETERMINATION* Form.
2. The former employee may also appeal the initial claim determination.
3. When a timely appeal is filed by Sheakley Uniservice (on behalf of DHR) or the former employee, DOL issues notification that an appeal has been filed and schedules an administrative hearing. Sheakley Uniservice is responsible for notifying the DHR official if a *NOTICE OF APPEAL* (Form DOL-423) or *NOTICE OF HEARING BEFORE APPEALS TRIBUNAL* (Form DOL-424A) is received.
4. Sheakley Uniservice is available to counsel DHR officials on material needed for the administrative hearing and on presentation and attendance requirements.
5. DHR officials may also request that a representative of Sheakley Uniservice attend the hearing to provide consultation and cross-examine witnesses. Any need for such representation at the hearing should be discussed with Sheakley Uniservice upon receiving notification of the administrative hearing.
6. A DHR official with first-hand knowledge of the separation must be present at the administrative hearing in the event that testimony is necessary.
7. The DOL administrative hearing officer will issue a decision either upholding or modifying the initial claim determination. Only Sheakley Uniservice will receive a copy of this decision, unless the DHR official representing the Department requests to receive a copy during the hearing.
8. If the decision upholds or grants unemployment compensation benefits to the former employee, Sheakley Uniservice will advise the DHR official or the OHRMD. If it is determined that a further appeal is appropriate, Sheakley Uniservice is responsible for filing the appeal.

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9. The DOL administrative hearing officer's decision will include a deadline by which a further appeal may be filed.
10. If a timely appeal is filed by Sheakley Uniservice (on behalf of DHR) or the former employee, a review will be conducted by a Board of Review. The Board of Review will issue a final decision on the claim determination.

For additional information or assistance with the unemployment compensation process, please contact the OHRMD - Operations and Benefits Section at 404/656-4588.

ATTACHMENTS:

Attachment #1 - *GUIDELINES REGARDING UNEMPLOYMENT COMPENSATION*

Attachment #2 - *REPORTING EMPLOYEE SEPARATIONS*
